

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

UNOMEDICAL A/S,  Plaintiff,  v.  SMITHS MEDICAL MD, INC.,  Defendant.	Civil Action No.: 09-4375   Honorable Blanche M. Manning
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**UNOMEDICAL’S RESPONSE TO SMITHS MEDICAL’S EMERGENCY MOTION TO  
FILE UNDER SEAL**

Smiths Medical’s Emergency Motion to File Under Seal (Dkt. No. 49) should be dismissed as moot. The document it seeks to file under seal is a declaration of Barry Irwin, which is to be filed in support of Smiths Medical’s Emergency Motion to Seal Docket No. 37 (“Smiths Emergency Motion”, Dkt. No. 47). The relief sought in Smiths Medical’s Emergency Motion is identical to the relief Unomedical requested in its Emergency Motion To Seal Smiths Medical’s Memorandum In Support Of Its Motion For Limited Production of Unomedical’s Motion To Disqualify filed earlier in the day (“Unomedical’s Emergency Motion,” Dkt. No. 44).

Unomedical’s Emergency Motion and Smiths Medical’s Emergency Motion both were granted (Dkt. No. 53), rendering moot Smiths Medical’s Emergency Motion to File Under Seal (Dkt. No. 49). Accordingly, Smiths Medical’s Emergency Motion to File Under Seal (Dkt. No. 49) should be dismissed as moot.

Respectfully submitted,

Dated: September 28, 2009

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UNOMEDICAL A/S

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that a true and correct copy of  
UNOMEDICAL'S RESPONSE TO SMITHS MEDICAL'S EMERGENCY MOTION TO FILE  
UNDER SEAL was served on this 28th day of September, 2009, to the following attorneys:

**VIA NOTICE OF ELECTRONIC  
FILING THROUGH CM/ECF SYSTEM**

Barry F. Irwin  
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/s/Anastasia Heffner